

Maryland's 2013 Black Seas Bass (*Centropristis striata*) Compliance Report to the Atlantic States Marine Fisheries Commission

Prepared for ASMFC

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I. Introduction

The Black Sea Bass stock was most recently assessed in December 2008 and summarized in the report of the Northeast Data Poor Stocks Working Group (NEFSC CDR 09-02). In this report, the review panel concluded that overfishing is occurring, but the stock is not overfished. This determination was reaffirmed during the 53rd Northeast Regional Stock Assessment in 2012. In Maryland, Black Sea Bass are pursued almost entirely in the Exclusive Economic Zone (EEZ) both recreationally and commercially.

Black Sea Bass recreational management allows for states to set their own regulations using conservation equivalency. The background for these changes and the framework for setting regulations is documented in Addendum XXII (March 2012). Maryland regulations remained consistent with current and previous federal recreational measures.

The Black Sea Bass commercial fishery is managed by a state-by-state allocation system as mandated by Addendum XIX to the FMP. Maryland's commercial allocation under this addendum is 11% of the annual coastal commercial coastal target.

II. Request for *De Minimis*

No de minimis status is requested.

III. Previous Year's Fishery and Management Programs

A. Fishery Dependent Monitoring

MDNR does not have any fishery-dependent monitoring programs for Black Sea Bass. Data are occasionally collected from the recreational for-hire fishery, but no samples were collected in 2013.

B. Fishery Independent Monitoring

Maryland's Coastal Bays Fisheries Investigation Trawl and Beach Seine Survey regularly encounter Black Sea Bass. In 2013 a total of 56 juvenile Black Sea Bass were collected in trawl (47 fish) and beach seine (9 fish) samples conducted on Maryland's Coastal Bays. Black Sea Bass were ranked 18th out of 72 species in overall finfish abundance. GM indices of relative abundance were calculated and compared with the 1989-2013 time series grand mean. The point estimate of the time series grand mean was used as an indicator of central tendency of abundance, against which the 95% CIs of the GM indices of relative abundance were compared. The 2013 trawl and beach seine indices were both equal to the standardized grand means (Figures 1 and 2).

Black Sea Bass Trawl Index Maryland Coastal Bays

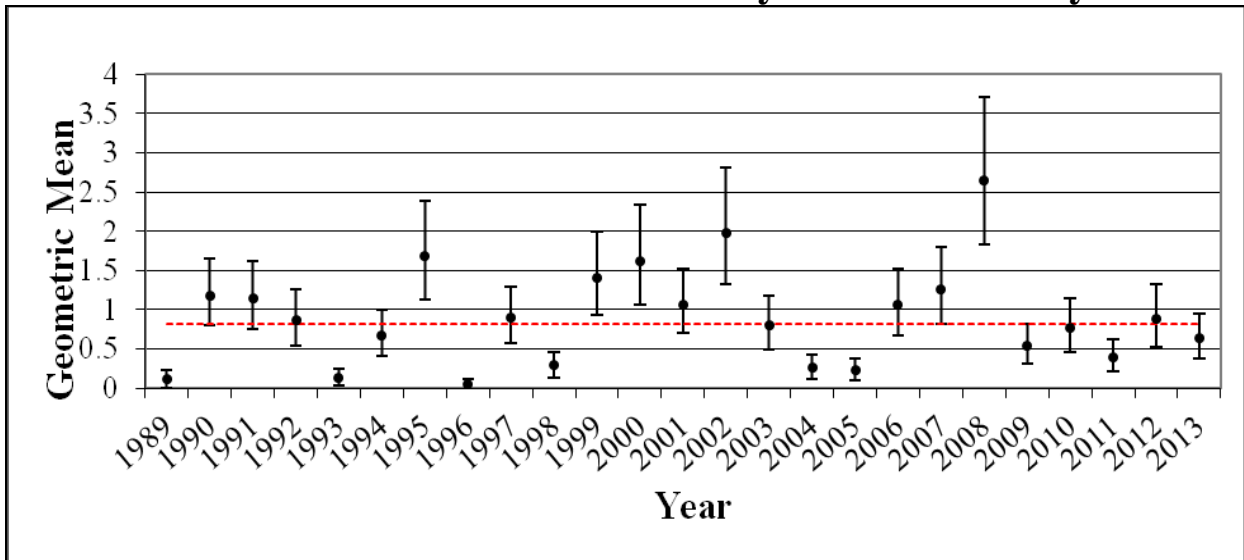


Figure 1. Black Sea Bass trawl index of relative abundance (geometric mean) with 95% confidence intervals (1989-2013). Dotted line represents the 1989-2013 time series grand mean. Protocols of the Coastal Bays Fishery Investigation Trawl and Beach Seine Survey were standardized in 1989 (n=140/year).

Black Sea Bass Seine Index Maryland Coastal Bays

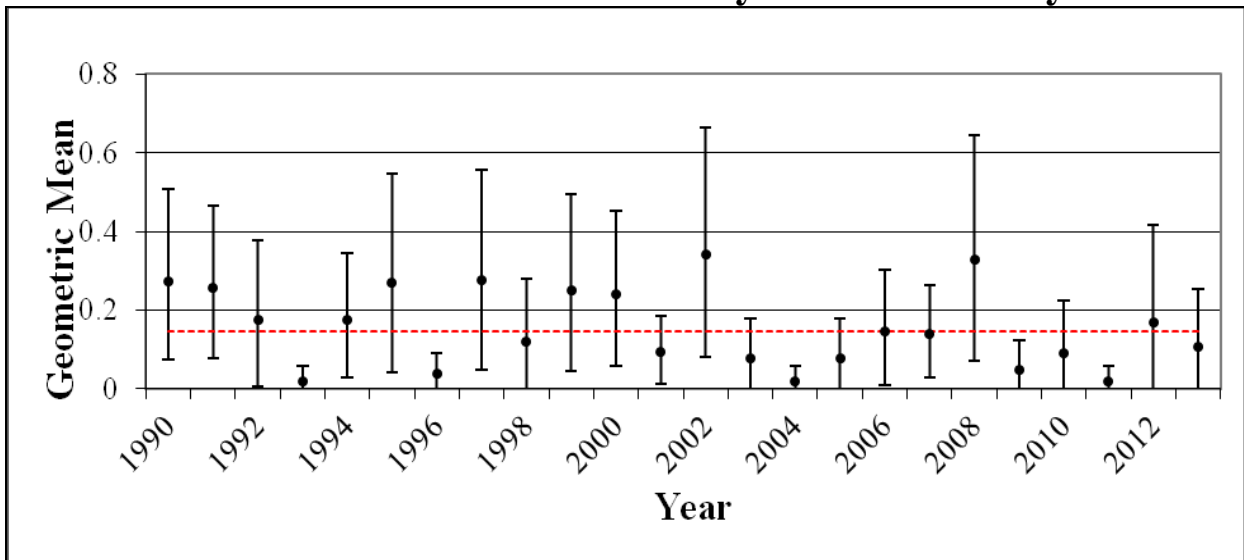


Figure 2. Black Sea Bass beach seine index of relative abundance (geometric mean) with 95% confidence intervals (1989-2013). Dotted line represents the 1989-2013 time series grand mean. Protocols of the Coastal Bays Fishery Investigation Trawl and Beach Seine Survey were standardized in 1989 (n=38/year).

C. Previous Year's Fishery and Management Program

A Chesapeake Bay and Atlantic Coast Black Sea Bass FMP was developed in 1993 by the NOAA Chesapeake Bay Program. Maryland and Virginia have a cooperative management plan for black sea bass within the Chesapeake Bay.

A. Recreational.

- (1) Minimum Size. A recreational angler may not catch or possess a black sea bass less than 12.5 inches in total length.
- (2) Catch Limit. A recreational angler may not catch or possess more than 20 black sea bass per day.
- (3) Season. The recreational season for catching black sea bass was January 1 to February 28 with a creel of 15 fish, May 19 to October 14, and November 1 through December 31 with a creel of 20 fish.

B. Commercial.

- (1) Minimum Size. An individual who harvests black sea bass for commercial purposes may not catch or possess a black sea bass less than 11 inches in total length, excluding the tail filament.
- (2) Quotas.
 - (a) The annual quota for Maryland is 11 percent of the annual Atlantic coast quota determined by the National Marine Fisheries Service.
 - (b) Quota Allocation.
 - (i) The total pounds of black sea bass that may be harvested by a black sea bass landing permit holder who applies for a permit for 2011 and subsequent years shall be based on the proportion of the total black sea bass harvest allocated to the permit holder in the previous year.
 - (ii) In addition to the quota allocation, as described in §B(2)(b)(i) of this regulation, the Department shall reallocate equitably among permit holders the quota of any permit holder who fails to apply for a permit for the following year, or who leaves the fishery without transferring the permit.
 - (c) A Maryland black sea bass landing permit holder (permittee) may annually transfer up to 100 percent of the permittee's individual quota to another permittee upon notification of and approval by the Department. However, an individual may not hold more than 20 percent of the total fishery allocation.
 - (d) An individual who possesses a Maryland black sea bass landing permit in accordance with §C of this regulation and lands more than the assigned permit allocation, including any quota transfers, shall have the overage deducted from the permit allocation for the following year.
- (3) Daily Catch Limits. A vessel that does not have an individual on board who possesses a valid Maryland black sea bass landing permit may not catch, possess, or land more than 50 pounds of black sea bass per day.
- (4) Black sea bass harvested for commercial purposes from Maryland waters of the Atlantic Ocean or from the waters of the Exclusive Economic Zone (EEZ) and landed in Maryland shall be sold to a federally permitted dealer.

C. Licenses and Permits.

- (1) A person shall be licensed to fish for commercial purposes in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, in order to catch, possess, or land black sea bass.

(2) A vessel which is used to catch, possess, or land black sea bass for commercial purposes from the waters of the Exclusive Economic Zone (EEZ) of the Atlantic Ocean shall be permitted by the National Marine Fisheries Service in accordance with 50 CFR §648.4.

(3) A permittee may catch, possess, or land black sea bass for commercial purposes on a vessel other than the vessel declared on the permittee's permit if in possession of the permit issued to the permittee, and the undeclared vessel is permitted by the National Marine Fisheries Service.

(4) Declaration.

(a) A tidal fish licensee shall declare their intent to fish for black sea bass by August 31 of each year.

(b) A tidal fish licensee who has not declared by August 31 of the current year, and who has not declared late in any of the 3 preceding years, may apply until September 14 of the current year, or the next business day if September 14 occurs on a weekend, to the Director of Fisheries Service, provided the licensee shows good reason why the application should be processed.

(c) An exception to the September 14 deadline will be considered only for an individual who can provide satisfactory documentation of a physical or mental incapacity that prevented that individual from meeting the declaration time period established in this subsection.

(d) The federally registered name or the State registration numbers of the permitted vessels owned by the permittee shall be indicated at the time of application for the permit and declared on the Maryland black sea bass landing permit.

(e) Any change in vessel ownership shall be reported to the Department so that a revised permit card may be issued.

(5) Black Sea Bass Landing Permit.

(a) No more than 14 black sea bass landing permits may be issued by the Department. The number of black sea bass landing permits is based on the reported catch and landing records of black sea bass in Maryland during 1996—2001.

(b) The Department may issue a permit to catch and land black sea bass in Maryland to a person who is licensed in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, owns or has a share of ownership in a federally permitted vessel, and:

(i) Declared or was eligible to declare, in the previous year, an intent to fish for black sea bass in accordance with §C(4) of this regulation and has not transferred the permit; or

(ii) Received a black sea bass landing permit through a permanent business transfer in accordance with §C(6) of this regulation.

(6) Permanent Transfer of a Landing Permit. The Department may approve a permanent transfer of a Maryland black sea bass landing permit to an individual who applies to the Department requesting the transfer on forms provided by the Department.

(7) Temporary transfers of black sea bass landing permits are not permitted.

(8) Operators.

(a) An operator means an individual who is not a permittee and acts as an agent of a permittee.

(b) The name of the vessel on which the operator is working shall be declared on the Maryland black sea bass landing permit.

(c) An operator may catch, possess, or land black sea bass for commercial purposes on a vessel owned by a permittee and in possession of that permittee's permit.

(9) Regardless of the number of authorized individuals with Maryland black sea bass landing permits on board a federally permitted vessel, no more than two black sea bass quotas may be fished from one vessel per trip.

D. Gear Restrictions.

(1) Trawls.

(a) Except for an individual possessing less than 50 pounds of black sea bass per trip, an individual may not use a trawl to catch black sea bass with mesh less than 4-1/2 inches stretched mesh size throughout the net or a minimum of 75 meshes in the codend.

(b) An individual may not use a roller rig trawl with a roller diameter in excess of 18 inches.

(2) Pots and Traps. A pot or trap used to catch black sea bass shall have:

(a) An unobstructed escape vent of at least a:

- (i) 2-1/2 inch diameter circular opening;
- (ii) 2 inch by 2 inch square opening; or
- (iii) 1-3/8 inch by 5-3/4 inch rectangular opening; and

(b) Hinges and fasteners on a panel or door made of one of the following degradable materials:

- (i) Untreated hemp or jute string of 3/16 inch in diameter or less;
- (ii) Magnesium alloy fasteners; or
- (iii) Ungalvanized, uncoated iron wire of 0.094 inch diameter or smaller.

E. Reporting and Penalties.

(1) In addition to the requirements of Natural Resources Article, §4-206, Annotated Code of Maryland, an individual in possession of a Maryland black sea bass landing permit shall record the harvest of black sea bass on the permit daily and submit the completed permit to the Department within 14 days from the end of the black sea bass season.

(2) A dealer shall transmit information weekly, or as requested, on each black sea bass transaction through the Department-approved reporting system.

(3) The Department may withhold quota allocation for a black sea bass landing permit for failing to comply with §E(1) of this regulation during the previous season.

(4) The Department may deny an application for a black sea bass landing permit for failing to comply with §E(1) of this regulation during the previous season.

F. General.

(1) The Secretary may modify catch limits, size limits, quotas, or open or close a season in order to comply with species management through the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Black Sea Bass, by publishing notice on the Fisheries Service website at least 48 hours in advance, stating the effective hour and date.

(2) The Secretary shall make a reasonable effort to disseminate public notice through various other media so that an affected individual has reasonable opportunity to be informed.

(3) The Department shall make a reasonable effort to modify quotas to ensure that the Maryland portion of the coastwide quota is harvested and not exceeded.

D. Harvest by Gear Type

1. Commercial Landings

In 2013 there were eleven pot fishermen and three trawlers that met the minimum requirements to receive a Maryland Black Sea Bass landing permit. A permit is required to commercially land more than 50 pounds of Black Sea Bass a day in Maryland.

Maryland's 2013 commercial Black Sea Bass harvest was [REDACTED] pounds (accessed May 27, 2014, National Marine Fisheries Service, Fisheries Statistics and Economics Division, Personal communication). NMFS data are confidential.

2. Recreational Landings

Based on MRIP estimates, Maryland's 2014 recreational Black Sea Bass harvest was 7,734 fish (PSE 41.4) with a combined weight of 9,944 pounds (accessed May 27, 2014, National Marine Fisheries Service, Fisheries Statistics and Economics Division, Personal communication). The time series data shows some variability and a general decline in harvest since 2000, both in numbers of fish and total pounds. 2013 is exceptionally low as was 2004.

Estimate Status	Year	Common Name	Total Harvest (A+B1)	PSE	Harvest (A+B1) Total Weight (lb)	PSE	Landings (no.) without Size Information
FINAL	2000	BLACK SEA BASS	433,588	33.0	455,723	34.1	0
FINAL	2001	BLACK SEA BASS	118,882	26.1	134,856	30.5	0
FINAL	2002	BLACK SEA BASS	336,610	16.7	484,659	17.3	0
FINAL	2003	BLACK SEA BASS	240,748	18.7	265,995	20.7	30,219
FINAL	2004	BLACK SEA BASS	15,529	36.4	19,446	38.6	0
FINAL	2005	BLACK SEA BASS	91,018	20.0	94,569	20.0	0
FINAL	2006	BLACK SEA BASS	120,803	16.1	135,906	16.0	0
FINAL	2007	BLACK SEA BASS	38,669	24.1	49,046	26.4	0
FINAL	2008	BLACK SEA BASS	26,429	18.1	33,550	22.2	0
FINAL	2009	BLACK SEA BASS	33,082	22.2	40,554	27.6	0
FINAL	2010	BLACK SEA BASS	36,018	16.8	41,507	16.5	0
FINAL	2011	BLACK SEA BASS	47,445	17.9	51,730	20.2	0
FINAL	2012	BLACK SEA BASS	33,080	38.4	42,174	35.1	0
PRELIMINARY	2013	BLACK SEA BASS	7,534	41.4	9,944	41.9	0

Figure 3. Black Sea Bass MRIP estimates 2000-2013. National Marine Fisheries Service, Fisheries Statistics and Economics Division, Personal communication) accessed May 27, 2014.

IV. Planned Management for 2014

A. Summary of Regulations that will be in Effect

The Code of Maryland Regulations (COMAR) pertaining to black sea bass (section 08.02.05.21) are online at URL: <http://www.dsd.state.md.us/comar/08/08.02.05.21.htm>. Maryland's recreational black sea bass regulations for 2014 include a 12.5 inch total length minimum size limit, 15 fish/day creel limit, and an open season from May 19 until September 18th, and October 18th through December 31st or as determined by NMFS. All other regulations will remain the same as in 2013.

B. Summary of Monitoring Programs that will be in Effect

Maryland will continue to monitor the abundance of juvenile black sea bass in the Coastal Bays Fisheries Investigation Trawl and Beach Seine Survey. Length data from the recreational harvest on selected head boats out of Ocean City, Maryland will be collected if time allows.

C. Highlights of Changes from the Previous Year

No changes were necessary to maintain compliance with regulatory requirements.

V. Plan Specific Requirements

Not Applicable

VI. Law Enforcement Requirements

Not Applicable

References

Northeast Data poor Stocks Working Group. 2009. The Northeast Data Poor Stocks Working Group Report, December 8012, 2008 Meeting. Part A. Skate species complex, Deep sea red crab, Atlantic wolffish, Scup, and Black sea bass. US Dept Commerce, Northeast Fisheries Science Center, Ref Doc. 09-02; 496p.
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National Marine Fisheries Service, Fisheries Statistics and Economics Division. Commercial landings. December 28, 2013. http://www.nero.noaa.gov/ro/fso/reports/reports_frame.htm. Accessed on May 27, 2014.

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